

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.5149 OF 2007
IN
FIRST APPEAL NO.2876 OF 2007

The Branch Manager,
New India Assurance Co.Ltd.

...Applicant

VS.

Bhagirathi Vasant Gavali
@ Todkar and othes

...Respondents

Mr.S.M.Vidyardhi for the Applicant
Mr.Vijay Killedar for the Respondents.

CORAM: A.S.OKA, J.

DATE : DECEMBER 19, 2007.

P.C.:

1. The Advocate for the Applicant states that the entire amount due and payable under the impugned Award has been deposited with the tribunal. In view of this statement, a sum of Rs.25,000/- deposited in this court by the Applicant shall be refunded to the Applicant.

2. Perusal of the operative part of the impugned Award shows that a very small amount is ordered to be actually paid to the claimant Nos.1 and 2. Considering the fact that as per the operative part of the Award, substantial amount will remain invested, no case is made out for grant of stay. Hence, prayer for stay is rejected. The tribunal is directed to disburse/invest the amount in terms of the impugned Award. However, it is made clear that the amount invested in fixed deposit shall not be paid to any of the claimants without prior permission of this court. The amount of interest accrued thereon will be disbursed by the tribunal as per the directions contained in the Award. Application is accordingly disposed of.

3. Parties and the concerned court to act upon an

authenticated copy of this order.

JUDGE